

February 28, 2023

Dear Senator Ron Latz and Representative Sandra Feist -

I am writing in support of the proposed bill at the Minnesota Legislature (SF997/HF1019) allowing claims of injury and death to survive the death of the decedent.

My support is based on the tragedy of my family's experience and the belief that no family should have to repeat this experience.

In June 2014, my mother, at the age of 79, was the victim of a witnessed sexual assault at the facility where she lived. The assault occurred at the hands of another resident who was not removed from the facility for another 6 days - after our family issued an order for protection. In the following days, weeks and months after the assault, our family engaged in multiple legal actions in an attempt to provide safety for my mother, and to bring justice on her behalf. Initially we were met with roadblocks and lack of support which were explained away due to my mother's age, her cognitive status, and the details of the assault. We finally connected with attorneys experienced with elder abuse who put into action claims on behalf of my mother who continued to suffer emotionally from the sexual assault. The actions of our attorney to the responsible parties were met with delayed response, or no response, over months and months until my mother's death in May 2016. Because this case was never brought to closure in the courts of law during the life of my mother, the case essentially died with her. She lived the last two years of her life suffering with the memory of the sexual assault (which she consistently recalled with specific detail) and the fear that it could happen again. When we tucked her in at night, she would ask us if her windows were locked.

The negligence of the facility was never acknowledged. No one was held responsible. No one was held accountable. No authentic apology was ever given to my mother or my family. My mother was not given the dignity of care deserving of victims of sexual assault. With her death, her pain and suffering was immediately forgotten.

Minnesota is the only state to not have claims survive the death of the individual. I am asking you to vote to not forget the pain and suffering of victims and their families. I am asking you to vote to hold responsible parties accountable for the pain and suffering of victims and their families. I am asking you please, to vote in support of this bill so that there is no incentive to drag out claims, hoping that the death of the victim closes a case rather than the justice of the courts.

Sincerely,

Jackie

Jacalyn Hennessy  
[hennessy.jackie@gmail.com](mailto:hennessy.jackie@gmail.com)  
651-380-0196